

## **REMARKS/ARGUMENTS**

This Amendment is submitted in response to the Office Action dated June 28, 2007, and within the three month period for response extending to September 28, 2007.

The current status of the claims is summarized as follows:

- 5           • Claim 24 is currently amended.
- Claims 1-39 are pending in the application after entry of the present Amendment.

### **Allowable Subject Matter**

10           The Applicant acknowledges the Office's indication in the "Response to Arguments" section on page 2 of the Office Action dated June 28, 2007, that claims 1-23 are allowed. However, the Applicant further notes that the "Office Action Summary" included as page 1 of the Office Action dated June 28, 2007, incorrectly indicates that claims 1-23 are rejected. The Office is requested to clarify for the record that the "Office  
15   Action Summary" included as page 1 of the Office Action dated June 28, 2007, is in fact incorrect in stating that claims 1-23 are rejected.

### **Rejections under 35 U.S.C. 103**

          Claims 24, 31, 35, and 36 were rejected under 35 U.S.C. 103(a) as being  
20   unpatentable over Kim (U.S. Patent No. 6,975,312) in view of Rand et al. ("Rand" hereafter) (U.S. Patent No. 6,459,374). These rejections are traversed.

          Amended claim 24 recites a network cable connector that has a sensor and a processor disposed WITHIN the network cable connector. Amended claim 24 recites that the sensor is defined to sense a connection state of the network cable connector and to  
25   generate a connection state change signal. Amended claim 24 further recites that the

processor is defined to respond to generation of a connection state change signal by transmitting connection state information over a communication network to indicate a connection state of the network cable connector. Also, amended claim 24 recites that the network cable connector is defined to enable connection of a network cable to a network connected device such that network signals can be transmitted between the network connected device and the network cable through the network cable connector.

In applying the combination of Kim and Rand to reject claim 24, the Office has asserted that Kim teaches a processor disposed within a network cable connector, as recited in amended claim 24. Kim (column 2, lines 39-41, and Figure 1) teaches that a computer system includes a network connector 10, a signal processing part 20, and a micro controller unit 30. It should be understood that the signal processing part 20 and the micro controller unit 30 are defined separately from the network connector 10, and outside of the network connector 10. Therefore, it should be understood that Kim does not teach that either the signal processing part 20 or the micro controller unit 30 is disposed within the network connector 10. Kim (column 2, lines 42-45) further teaches that the network connector 10 is connected to a network cable 5, so that a pulse signal transmitted in the network cable 5 is input through the network connector 10 to the signal processing part 20, thereby further emphasizing that the signal processing part 20 is defined separately from and outside of the network connector 10.

Amended claim 24 clearly recites that the processor is disposed WITHIN the network cable connector. As discussed above, Kim does not teach a processor disposed within a network cable connector. Rather, Kim explicitly teaches a signal processing part 20 and micro controller unit 30 disposed separate from and outside of the network connector 10. Additionally, the Applicant submits that Rand does not teach a processor disposed within a network cable connector, and defined to respond to generation of a

connection state change signal by transmitting connection state information over a communication network to indicate a connection state of the network cable connector, as recited in amended claim 24.

For a claim to be rendered prima facie obvious under 35 U.S.C. 103, the combined prior art must teach or suggest each and every feature of the claim. In view of the foregoing, the Applicant submits that the combination of Kim and Rand fails to teach the processor disposed within the network cable connector, as recited in amended claim 24, and thereby fails to teach each and every feature of amended claim 24. Therefore, the Applicant submits that amended claim 24 is not rendered prima facie obvious under 35 U.S.C. 103 by the combination of Kim and Rand. Therefore, the Office is kindly requested to withdraw the rejection of amended claim 24 under 35 U.S.C. 103.

The Applicant further submits that there is no motivation or suggestion in either Kim or Rand for one of ordinary skill in the art at the time of the invention to have combined their respective teachings in the manner asserted by the Office. Kim discloses a system for checking a connection state of a network cable. The system of Kim includes a network connector 10 to which the network cable can be connected. However, the functionality of Kim's system with regard to detecting the connection state of the network cable is provided by modules that exist outside the network connector 10, namely by the signal processing unit 20 and micro controller unit 30. Kim does not teach or suggest modification of the network connector 10 to include a processor.

Rand teaches an anti-theft computer security system that includes a USB connector 10 connected to a cable 20. Cable 20 is connected via connector 21 to a port 31 of a central alarm monitoring unit 30. The USB connector 10 is connected to a USB of a computer to be protected from theft. The USB connector 10 includes a sensor to detect when the USB connector 10 is disconnected from the computer. The cable 20 includes

four wires that are exclusively used to implement the security features associated with the system. It should be understood that the cable 20 and USB connector 10 are defined specifically to implement the anti-theft computer security system. The cable 20 and USB connector 10 are not equipped to transmit network signals. More specifically, the USB connector 10 of Rand is neither intended to transmit nor capable of transmitting network signals. Consequently, the USB connector 10 of Rand does not teach or suggest modification of a network cable connector that is required to transmit network signals, such as the network connector 10 of Kim.

In view of the foregoing, the Applicant submits that neither Kim nor Rand provide a suggestion or motivation for one of ordinary skill in the art at the time of the invention to have modified the network connector 10 of Kim to include the sensor configuration of Rand. Obviousness can only be established by combining of modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so. *In re Kahn*, 441 F.3d 977, 986, 78 USPQ2d 1329, 1335 (Fed. Cir. 2006). Additionally, the Applicant submits that modification of the network connector 10 of Kim to include the sensor configuration of Rand would render the network connector 10 Kim inoperable for its intended purpose of transmitting network signals therethrough. If the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). In view of the foregoing, the Applicant again submits that amended claim 24 is not rendered prima facie obvious under 35 U.S.C. 103 by the combination of Kim and Rand. Therefore, the Office is again requested to withdraw the rejection of amended claim 24 under 35 U.S.C. 103.

Because a dependent claim incorporates each and every feature of the independent claim from which it depends, the dependent claim is patentable for at least the same reasons as its independent claim. Therefore, the Applicant submits that each of dependent claims 31, 35, and 36 is patentable for at least the same reasons as amended claim 24.

5 Therefore, the Office is kindly requested to withdraw the rejections of dependent claims 31, 35, and 36 under 35 U.S.C. 103.

Claims 25-30, 32, and 37-39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Rand, and further in view of Billiard (U.S. Patent No.

10 6,842,114). These rejections are traversed.

Because a dependent claim incorporates each and every feature of the independent claim from which it depends, the dependent claim is patentable for at least the same reasons as its independent claim. Therefore, the Applicant submits that each of dependent claims 25-30, 32, and 37-39 is patentable for at least the same reasons as amended claim

15 24. Therefore, the Office is kindly requested to withdraw the rejections of dependent claims 25-30, 32, and 37-39 under 35 U.S.C. 103.

Claims 33 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Rand in view of Billiard, and further in view of Laor (U.S. Patent

20 No. 6,002,331). These rejections are traversed.

Because a dependent claim incorporates each and every feature of the independent claim from which it depends, the dependent claim is patentable for at least the same reasons as its independent claim. Therefore, the Applicant submits that each of dependent claims 33 and 34 is patentable for at least the same reasons as amended claim 24.

Therefore, the Office is kindly requested to withdraw the rejections of dependent claims 33 and 34 under 35 U.S.C. 103.

In view of the foregoing, the Applicant submits that all of the pending claims are in condition for allowance. Therefore, a Notice of Allowance is requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 774-6914. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP467). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
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